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|  |             |                      |                       |                  |
|--|-------------|----------------------|-----------------------|------------------|
| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
| 10/067,350   | 02/07/2002  | Katsushi Fujii       | 219212US6             | 7425             |
| 22850 7590 01/26/2007<br>OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | EXAMINER<br>HUYNH, BA |                  |
|  |             |                      | ART UNIT              | PAPER NUMBER     |
|  |             |                      | 2179                  |                  |
| SHORTENED STATUTORY PERIOD OF RESPONSE   |             | MAIL DATE            | DELIVERY MODE         |                  |
| 3 MONTHS   |             | 01/26/2007           | PAPER                 |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/067,350

Applicant(s)

FUJII ET AL.

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/09/06 has been entered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added limitations “the distribution notice, including shared authentication data, a description of the first service, scheduling information and hyperlink data” and “the chat space and first service being provided to the second and third terminals upon authentication via actuation of the hyperlink in accordance with the scheduling information of the distribution notice”.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin) in view of US patent 6,363,352 (Dailey et al).

*Note: The '352 patent was cited in form 892 of previous Office action.*

- As for claims 1, 4-6: Dworkin teaches a computer implemented system and corresponding method for managing a first service of distributing contents in real-time according to a reservation made in advance by a first terminal, and, to a plurality of participant terminals 106, 108 (0015, 0019, 0027) for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019), comprising the means/steps for:

acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service to the plurality of participant terminals (0015, 0025), the plurality of participant terminals receiving a distribution notice in accordance with the participants addresses of the reservation (0027).

generating means configured to generate the chat space corresponding to the reservation at scheduled distribution start time designated by the reservation (0019-0021, 0025-0028),

authentication means for authenticating the second terminal by the use of authenticating data used by the server to authenticate the participant terminals (0018, 0024),

providing means for providing the chat space and the first service to the participant terminals designated to be distributed by the first terminal (0024, 0025).

Although Dworkin teaches sending distribution notice to conferees (0027) and that conferees may communicate through email (abstract), Dworkin is not clear regarding sending the distribution notice to conferees in accordance with conferees email address. However in the same field of virtual conferencing, Dailey et al teach sending distribution notice to conferees through email address (Dailey's figure 5). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of sending distribution notice to conferees via email to Dworkin. Motivation of the combining is for the obvious advantage of having a pre-established, quick and reliable email communication protocol.

In light of the combining, designated participants are notified and connected to scheduled conferences (Dworkin's 0027) via email (Dailey's fig 5). Per Dailey, the notifier (distribution notice) include a description of the first

service 1432, 1436, 1442, scheduling information 1450, 1454 and hyperlink data 1446, 1918, 1920 (figs 5, 6, 10). Shared authentication (chat room password, login access are shared authentication service provided by the ASP) are provided for protecting access to the conference room by others and allowing only authorized user to enter a reserved conference (Dworkin's 0018, 0026, 0028). While teaches the notification, Dworkin fails to clearly teach sending the notification with authentication data to the participant terminals. However official notice is taken that it would have been obvious to one of skill in the art at the time the invention was made, to implement sending the notification with authentication data to the participant terminals for informing the upcoming reserved conference.

Although Dworkin teaches generating the chat space at scheduled time (0026), Dworkin fails to clearly teach that the chat space is generated at predetermined time "prior" to a distribution start time. However Dailey teaches generating the chat space at predetermined time "prior" to a distribution start time (3:23-33, 5:28-43). Since the chat space must be available at scheduled time for customer satisfaction, it would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of generating the chat space at predetermined time "prior" to a distribution start time. Motivation of the implementation is for avoiding schedule confliction and overlapping.

In light of the combining, the chat space and the first service are provided to conferees via actuation of the hyperlink 1920, 1926 (Dailey's figure 10) inaccordance with the scheduling information of the distribution notice.

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- As for claims 2, 3: The first service is a service for distributing contents sent according to a reservation made in advance, to the terminal in real-time (0004, 0008, 0016-0018), and the second service is a service for providing a chat space corresponding to the reservation for the terminal (0002-0008, 0015-0019).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

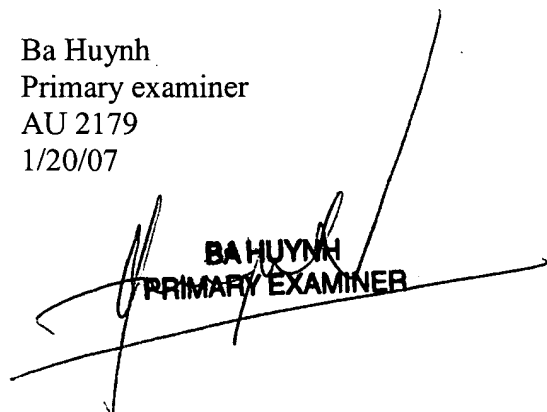
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Ba Huynh  
Primary examiner  
AU 2179  
1/20/07

  
**BA HUYNH**  
**PRIMARY EXAMINER**